

**PSJ2 Exh 136**

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1 DDM didn't identify suspicious orders or stop  
2 them before they went out, right?

3 MR. JOHNSON: Objection.

4 Q. So that it could stop them before  
5 they went out?

6 A. So that they could stop them  
7 before they went out?

8 Q. Correct.

9 A. Yeah.

10 Q. Okay. They didn't?

11 A. They didn't what?

12 Q. This is like a Monty Python movie,  
13 right? Sometimes. Let me ask the question  
14 again.

15 So your testimony is that you  
16 don't know whether DDM had the tools necessary  
17 to identify suspicious orders and stop them  
18 before they went out, right?

19 A. Correct.

20 Q. Okay. So you would also agree  
21 that DDM did not identify suspicious orders in a  
22 way that would allow them to stop them before  
23 they went out, right?

24 MR. JOHNSON: Objection.

1 Q. And I think you said yes?

2 A. Yes.

3 Q. Okay. You would agree that DDM's

4 in the best position to ensure that any

5 suspicious orders placed within its business are

6 reported to the Ohio State Board and the DEA,

7 right?

8 A. Yes.

9 Q. Okay. Do you know what the most  
10 dispensed drug was at DDM pharmacies, let's say  
11 in 2014?

12 A. Offhand, no.

13 Q. Okay. Do you know what the most  
14 dispensed controlled substance was?

15 A. I would -- I would be guessing if  
16 I gave you an answer.

17 Q. Okay. Do you have a couple that  
18 might be in the running?

19 A. Controlled drugs?

20 Q. Yeah.

21 A. It could have been a

22 codeine-containing cough syrup. Could have been

23 Ambien.

24 Q. Anything else?

1 says -- are you pointing specifically to orders  
2 of unusual size, that particular aspect of it?  
3 We never identified suspicious orders, so ...

4 Q. Did you ever have an order of  
5 unusual size?

6 A. Yes.

7 Q. Okay. Did you ever report those  
8 orders?

9 A. Not after we reviewed them, no.

10 Q. The answer to that question is you  
11 never reported them, right?

12 A. We never reported a suspicious  
13 order.

14 Q. Okay. So DDM had unusual --  
15 orders of unusual size, right?

16 A. In this definition, it doesn't say  
17 what unusual size is. Is unusual size 100  
18 bottles in their definition or not? I mean,  
19 that's very -- you know, you can determine  
20 however you want the number on that. So ...

21 Q. But DDM defined unusual size to  
22 orders on its own with its report that you  
23 reviewed, didn't it?

24 A. We looked at higher than normal

1                   A.       On -- in a theft situation, we  
2       caught it after the fact.

3                   Q.       And DDM has never reported a  
4       single suspicious order to the DEA or the Ohio  
5       State Board, right?

6                   A.       Correct.

7                   Q.       And DDM has never identified or  
8       reported a single possible suspicious order  
9       either, correct?

10                  A.       Correct.

11                  Q.       Okay. All right. Let's look at  
12      Exhibit -- I think we're on 5.

13                  MR. JOHNSON: 4 maybe.

14                  MR. MULLIGAN: The last letter was  
15       4.

16                  MR. JOHNSON: You're right. I'm  
17       sorry.

18                  - - -

19                  (DDM-Nameth Exhibit 5 marked.)

20                  - - -

21      BY MR. MULLIGAN:

22                  Q.       Okay. So this is an e-mail with  
23       an attachment. The e-mail is DDM53874, and the  
24       attached document is DDM53912. And I'll just